

IN THE UNITED STATES COURT OF APPEALS

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FOR THE ELEVENTH CIRCUIT

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U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

JAN 19 2007

THOMAS K. KAHN
CLERK

MARVIN C. THOMPSON,

Plaintiff-Appellant,

versus

STEVEN WOODS,
Lieutenant,
LARRY CLARK,
Officer,

Defendants-Appellees.

Appeal from the United States District Court for the
Middle District of Alabama

Before **BIRCH, CARNES and MARCUS, Circuit Judges.**

BY THE COURT:

Appellant has filed a motion for reconsideration of this Court's November 28, 2006, order denying appellant's motion for leave to proceed on appeal. Upon reconsideration, appellant's motion for leave to proceed on appeal is DENIED and the appeal is DISMISSED because it is frivolous. See 28 U.S.C. § 1915(e)(2)(B)(i); see also Dalrymple v. Reno, 334 F.3d 991, 995 (11th Cir. 2003); Walker v. Jones, 10 F.3d 1569, 1572 (11th Cir. 1994); Sammons v. Taylor, 967 F.2d

1533, 1544 (11th Cir. 1992).

Appellant's motion for appointment of counsel is DENIED AS MOOT.

A True Copy - Attested
Clerk U.S. Court of Appeals,
Eleventh Circuit
By D. Owens
Deputy Clerk
Atlanta, Georgia